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Position of Shariah on Birth Control & Abortion ♦

The concept of family planning and population control on the pretext of depleting resources or demands of modern life styles created controversies all over the world, particularly among the religious circles. There was a consistent pressure on '*Ulemā*' (theologians) to guide the Muslim community on various aspects and practices emanating from this concept so that the Muslims could act according to the precepts of Shariah and the non-Muslims could be convinced of the rationality of the Islamic viewpoint. Therefore, the First Fiqh Seminar of the IFA debated on the issue of birth control and abortion so as to guide the Muslim community in this regard. The Seminar reached to the following derivations.

- 2.1 Any practice leading to terminating or restricting human birth is against the basic tenets of Islam.
- 2.2 In no case Shariah approves the evasion or refusal of shouldering the responsibility of procreation on the ground of keeping the family small as a fashion or because of hindrance in cultural pursuits or because of affecting employment or business engagements of the parents.
- 2.3 The women who take up employment as a career to achieve higher standard of living or to amass wealth, ignore their function of procreation and also forget the sacred obligation which nature has blessed them with, as mother of human race. Therefore, the idea of limiting the family with these considerations is totally un-Islamic.
- 2.4 If due care and nourishment of the child falls in jeopardy because of early pregnancy of the mother, in that case, to keep a suitable interval by spacing conception, temporary birth control devices can be adopted.
- 2.5 Adopting permanent birth control devices (like vasectomy) are in no case permissible for men. Such devices are prohibited for women as well. However, only in exceptional cases this is permissible, that is, if in the opinion of a medical expert there is danger to the life of the woman or apprehension of destruction of some organ of the woman while delivering a child, oviductomy operation can be performed on the woman to prevent future pregnancy.
- 2.6 Use of temporary birth control measure under ordinary circumstances is not permitted in Islam.

♦ First Fiqhi Seminar (New Delhi) 1-3 April 1989.

- 2.7 Under the following exceptional circumstances use of temporary birth control devices or taking medicine for that purpose is permissible for men and women.
- a) If the woman is very weak and in the opinion of doctors she cannot bear the rigours of childbirth without the risk of grave danger to her life.
 - b) If the pains of childbirth are going to be, in the opinion of medical experts, unbearable for the woman and shall expose her to grave harm.

